

## **RESOLUTION NO.**

**WHEREAS**, the transportation of hazardous materials on highways through Austin poses an increasing public health risk from accidental release as the population and density of Austin increase; and

**WHEREAS**, the City of Austin Hazard Mitigation Plan Update (September 2010) identified Past Action-56 which states, “Direct efforts towards re-routing hazardous materials not destined for the city to routes outside of the City of Austin” as a medium priority but deferred implementation; and

**WHEREAS**, the Code of Federal Regulations (CFR), 49 CFR 397.69 “Exhibit A”, recognizes the ability of a political subdivision of a state to establish route designations for non-radioactive hazardous materials (NRHM); and

**WHEREAS**, 49 CFR 397.71 identifies required processes for designation of a hazardous materials route including consultation with other political subdivisions, public participation and timelines; and

**WHEREAS**, 49 CFR 397.71 C also identifies factors to consider in establishing designation of a hazardous materials route including population densities, type and quantities of NRHM normally transported along highways, exposure and risk factors and requires that there be no unnecessary delays in transportation nor unreasonable effects on commerce; and

**WHEREAS**, the completion of the SH 130 offers a potential alternative to routing of hazardous materials through densely populated areas of Austin; and

**WHEREAS**, the Texas Administrative Code Rule § 25.103 “Exhibit B” requires that any hazardous materials route designation by a political subdivision must be approved by the Texas Department of Transportation and requires that a municipality with a population of more than 850,000 shall develop such a route; and

**WHEREAS**, CAMPO will consider a future agenda item on hazardous material upon City Council action; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Manager is directed to assess the public health risk from the transport of hazardous materials through Austin.

**BE IT FURTHER RESOLVED:**

The City Manager is further directed to determine an appropriate process and potential timeline in the event the City chooses to pursue a designated route for the transport of hazardous materials.

**BE IT FURTHER RESOLVED:**

The City Manager is further directed to report back to City Council on all findings on November 1, 2013.

**ADOPTED:** \_\_\_\_\_, 2013    **ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk